



County of San Diego

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TO: San Diego County Retail Food Facilities

SUBJECT: **Sale of Raw Gulf Oysters**

California Code of Regulations (CCR), Title 17, Section 13675 establishes requirements for the sale of raw oysters harvested from the states bordering the Gulf of Mexico (Alabama, Florida, Louisiana, Mississippi and Texas). Section 13675 contains three major provisions:

- **Annually restricts the sale of raw, untreated Gulf oysters harvested from April 1 to October 31.**
- Provides an exemption from the sales restrictions and warning requirements, if the Gulf oysters have been subjected to a scientifically validated treatment process that reduces *Vibrio vulnificus* to non-detectable levels and the retailer has on file a "Verification of Oyster Treatment Process" issued by the California Department of Health Services (CDHS).
- Requires that a warning sign be posted if untreated Gulf oysters are sold to consumers between November 1 and March 31.

CDHS has issued a letter for the "Verification of Oyster Treatment Process" to Ameripure Oyster Company, Hillman Shrimp and Oyster Company, Joey Oyster Inc, and Motivati Seafood. Gulf oysters treated by these processes are exempt from the sales restrictions and warning sign requirements, as long as their Verification of Oyster Treatment Process remains current.

Persons with certain chronic diseases, especially those associated with liver disease are at high-risk for *Vibrio vulnificus* infections. Fifty percent of high-risk individuals, who become ill, die. These regulations strive to improve public health protection for consumers of raw Gulf Oysters.

Enclosed is a summary of the requirements in the California Code of Regulations (CCR), Title 17, Section 13675. The full regulations may be viewed at www.calregs.com (Select "Query Templates", "Go to a Specific Section" and enter Title 17 and Section 13675) Additional information can also be obtained by consulting the CDHS website at www.dhs.ca.gov/fdb/ (select the Food Safety Program).

If you have any questions regarding this matter or would like a sample oyster warning sign, please contact your area environmental health inspector or contact the Duty Environmental Health Specialist at 619-338-2379.

MAJOR REQUIREMENTS FOR OYSTER RETAILERS

(CCR, Title 17, Section 13675 and Health and Safety Code, Section 114003)

1. Gulf Oysters:

a. April 1 to October 31:

- i. **All raw, fresh or frozen, shell stock, half-shell or shucked Gulf Oysters must be treated by an approved method when sold in California.**
- ii. The container must have a label or tag that states "Processed to Reduce *Vibrio vulnificus* to non-detectable levels."
- iii. The retailer and dealer must have on site and available for inspection a copy of the current California Department of Health Services letter of verification of the treatment process.
- iv. Retailers are exempted from the warning sign requirements when they provide Gulf Oysters that have been treated by an approved method to reduce *V. vulnificus*.

b. November 1 through March 31:

- i. Treated and untreated raw, fresh or frozen, shell stock, half-shell or shucked Gulf Oysters can be sold at retail facilities.
- ii. Retailers must post warning signs in English and Spanish if raw, untreated Gulf Oysters are sold.

April 1 to October 31	November 1 to March 31
IF GULF OYSTERS ARE SOLD IN CALIFORNIA THEY MUST BE TREATED.	POST WARNING SIGNS IF UNTREATED GULF OYSTERS ARE SOLD

2. Labels/Tags:

- a. Only accept raw, shell stock, half-shell, or shucked oysters from any source if they bear a label or tag affixed that says "Harvested in _____", Product of _____"
- b. Only accept raw shell stock oysters that have a label or tag stating 1) the date of harvest, 2) the harvest area, and 3) the state abbreviation and certificate number established by the state shellfish authority.
- c. Containers of raw shucked and half-shell Gulf oysters shall bear a label declaring the harvest date. This requirement is satisfied if the harvest date is supplied on an invoice accompanying each shipment.
- d. **All shellfish certification tags or labels shall be maintained upon the original container until emptied and then retained for not less than 90 days from the date of receipt.**

3. Receiving/Storage:

- a. Oysters must be from an approved source and inspected upon receipt.
- b. The internal temperature of the oysters should be 45°F or less at time of receipt, with exceptions if it is the same day as the harvest.
- c. Hold oysters at 45°F or less.

Further Information: In San Diego County contact an environmental health specialist at fhduyeh@sdcounty.ca.gov or call 619-338-2379 or check the internet at www.sdcdeh.org